REMARKS

This Amendment is in response to the Office Action dated February 26, 2003. All objections and rejections are respectfully traversed.

Claims 1-28 are in the case.

Claims 13-28 were added to better claim the invention.

At paragraph 2 of the Office Action claims 1, 5, 6, 10, and 11 were rejected under 35 U.S.C. §102(e) as being unpatentable in view of Dugan et al., U.S. Patent No. 6,078,586 issued on June 20, 2000, hereinafter Dugan.

The present invention, as set forth in representative claim 20 comprises in part:

A system, comprising:

a first network using a best-route routing protocol;

at least two links not supporting said protocol connected to said first network;

a second network using a best-route routing protocol, said second network interconnected with said first network by said at least two links;

an entry border node in said first network to send a set-up message having a best route from said first network to said second network;

an exit border node in said first network connected to one of said at least two links, said exit border node to receive a clearing message from said second network indicating a rejection of said best route, generate a crankback information element in response to said clearing message, add said crankback information element to said clearing message, and forward said clearing message and crankback information element to said entry border node.

Dugan discloses virtual private network (VPN) services over a single shared ATM network. Dugan teaches the use of crankbacks within the ATM network in the

event of a link failure, and the revision of the set-up message to create an alternate path (col. 9, lines 51-62).

Applicant respectfully urges that Dugan does not show Applicant's claimed novel "***at least two links not supporting said protocol connected to said first network;*** and ***an exit border node in said first network connected to one of said at least two links, said exit border node to receive a clearing message from said second network indicating a rejection of said best route, generate a crankback information element in response to said clearing message, add said crankback information element to said clearing message, and forward said clearing message and crankback information element to said entry border node***."

Applicant's presently claimed invention addresses a problem of having at least two networks based on a best-route routing protocol, where both single networks have crankback capability. These two networks are connected by at least two links not having crankback capability. In order to facilitate a crankback functionality between the networks in the event of a network link failure, Applicant claims the addition of crankback information elements into a clearing message generated by the broken network. The clearing message is forwarded by the non-protocol links joining the two networks. However, when the non-broken network receives the clearing message, it contains no crankback information explaining why the clearing message has been sent. The claimed invention inserts the "***crankback information elements***" into the clearing message before the clearing message is forwarded to an entry border node within the non-broken network that initially created the best route. This way, the entry border node is informed that it must chose a new best route over a different one of the at least two links in order to reach a final destination in the broken network. Nowhere in Dugan is the problem of using crankbacks in non-protocol links addressed, nor is the solution of inserting crankback information elements into a clearing message.

Applicant respectfully urges that the Dugan patent is legally precluded from anticipating the claimed invention under 35 U.S.C. §102 because of the absence from the Dugan patent of Applicant's "***at least two links not supporting said protocol connected to said first network;*** and ***an exit border node in said first network connected to one of said at least two links, said exit border node to receive a clearing message from said second network indicating a rejection of said best route, generate a crankback information element in response to said clearing message, add said crankback information element to said clearing message, and forward said clearing message and crankback information element to said entry border node***."

At paragraphs 4 and 5 claims 2-4, 7-9, and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Soncodi, U.S. Patent No. 6,111,881 issued on August 29, 2000, and over Dugan in view of Rochberger et al., U.S. Patent No. 6,208,623 issued on March 27, 2001, hereinafter Rochberger.

Applicant respectfully urges that because all of claims 2-4, 7-9, and 12 are dependent claims, and that they are believed to be dependent from allowable independent claims, that they are in allowable condition.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,

A. Sidney Johnston
Reg. No. 29,548
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500